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Defendant.

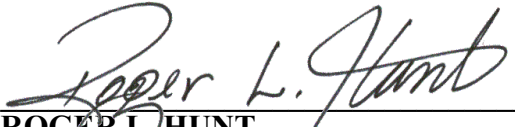
ORDER

The Court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. §636(b)(1)(B) and (C) and Local Rule IB 3-2 and determines that the Findings and Recommendation of Magistrate Judge Foley should be accepted and adopted.

Although Defendant requested and received an extension until January 18, 2011, to file his objections, but did not file his objections until January 24, 2011, the Court finds the delay excusable and accepts and considers the objections.

1 IT IS THEREFORE ORDERED that Magistrate Judge Foley's Findings and
2 Recommendation (#36, entered December 16, 2010) is ACCEPTED and ADOPTED, Defendant's
3 Motion to Suppress is granted as to the statements made by Defendant after he was taken into
4 custody but before *Miranda* warnings were given to him, but denied in all other respects.

5 Dated: February 3, 2011.

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8 **ROGER L. HUNT**
9 Chief U.S. District Judge
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